APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/505,322	02/09/2005	Carolus De Bie	GN02029	5229

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 December 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 and 3-9</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 and 3-9</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   The amendment submitted on 12/20/2007 has been acknowledged. Claims 11-
18 are cancelled.

Response to Arguments

2.   Applicant's arguments filed 12/20/2007 have been fully considered but they are
not persuasive.

(1) argument 1:

Applicant argues that Azima et al. do not disclose "output data comprising at
least one color".

With respect to applicant's argument, the Examiner relies on the teachings of
Azima et al. "output data comprising at least one color, (**column 3, lines 27-30; note
that color space gets defined by user i.e. the data comprises at least one color.
Also, in lines 59-61)**" note that each raster gets converted into TIFF output format.
Therefore, the stated argument is disclosed by the Azima et al.

(2) argument 2:

Applicant argues that Azima et al. do not disclose the first output format is a
bitmap suitable for driving a main output device.

With respect to Applicant's argument, the Examiner relies on the teachings of

Azima et al. "the first output format is a bitmap suitable for driving a main output device

(**column 7, lines 4-15; note that the output data is transmitted from the printer**

driver to the main output device i.e. the image setter)". Therefore, the stated

argument is disclosed by the Azima et al.

(3) argument 3:

Applicant argues that Azima et al. do not disclose the second output format

suitable for driving a proofing device.

With respect to Applicant's argument, the Examiner relies on the teachings of

Azima et al. "the second output format suitable for driving a proofing device (**column 7,**

lines 16-28; lines 30-36; note that the proofing device interprets the bitmap raster

files or contone images to process the PDL that are sent). Therefore, the stated

argument is disclosed by the Azima et al.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1 and 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Azima et al. (US Patent Number 6,252,676 B1) and in view of Tsunekawa (US

Patent Number 6,734,989 B2).

(1) regarding claim 1:

As shown in figure 1, Azima et al. disclose a method for rendering input data

simultaneously into output data comprising *at least one color* in a first (**68, figure 1;**

column 3, lines 27-30; note that color space gets defined by user i.e. the data

comprises at least one color. Also, in lines 59-61; note that each raster gets

converted into TIFF format) and in a second output format (**46, figure 1; column 3,**

lines 61-65; note that each of the selected subset of the rasters get converted and

wrapped the TIFF format rasters in page description language), the method

comprising:

defining *for each color* a plurality of bands constituting the output data (**column**

3, lines 48-55; note that the output data includes creating a page having one or

more separations with an imaging application and the raster associated with the

page is color separation);

wherein said processing of a band comprises:

i) generating *for each specific band first output data having the first output*

format data from the input data by means of a renderer (**column 5, lines 44-47,**

lines 61-63; note that the input image or file get RIPed and outputted to the

first output format);

ii) generating *for each specific band*, from said first output data, second output data *having the second output format* (**column 5, lines 44-47, column 6, lines 2-5; note that the input image or file get RIPed and outputted to the second output format**);

wherein:

the first output format is a bitmap suitable for driving a main output device (**column 7, lines 4-15; note that the output data is transmitted from the printer driver to the main output device i.e. the image setter**);

the second output format suitable for driving a proofing device (**column 7, lines 16-28; lines 30-36; note that the proofing device interprets the bitmap raster files or contone images to process the PDL that are sent**).

Azima et al. disclose all of the subject matter as described as above except for specifically teaching *sequentially processing each one* of said plurality of bands.

However, Tsunekawa discloses *sequentially processing each one* of said plurality of bands (**column 5, lines 21-29; note that the raster image memories for at least two bands are obtained by partitioning a page along the raster lines. Also, in column 9, lines 12-39, the process and management of the bands of the form is disclosed**).

Azima et al. and Tsunekawa are combinable because they are from the same field of endeavor i.e. static presentation processing for printer. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to *sequentially processing each one* of said plurality of bands. The suggestion/motivation

for doing so would have been in order to efficiently represent part of the raster image

data (column 2, lines 11-14). Therefore, it would have been obvious to combine Azima

et al. with Tsunekawa to obtain the invention as specified in claim 1.

(2) regarding claim 3:

Azima et al. further disclose the method according to claim 1 wherein the main

output device is either an imagesetter or a platesetter (**column 7, lines 4-15; note that**

the output data is transmitted from the printer driver to the main output device i.e.

the imagesetter).

(3) regarding claim 4:

Azima et al. further disclose the method of claim 1 wherein the first output data

for a specific band comprises data for a plurality of colors (**column 6, lines 6-16; note**

that the imagesetter images the raster data for each color into film).

(4) regarding claim 5:

Azima et al. further disclose the method according to claim 1 further comprising:

descreening the first output data for said specific band (**column 3, lines 21-27; note**

that descreening is utilized in order to combine to the descreened rasters into a

proofer raster and imaging the proofer raster on an output device).

(5) regarding claim 6:

Azima et al. further disclose the method according to claim 1 further comprising:

temporarily storing a first portion of said first output data for a specific band

wherein the first portion adjoins data for another specific band out of said plurality of

bands (**column 3, line 67-column 4, line 12; note that a preproofer selects a subset

of the rasters for proofing and combining each of the subset of rasters to create a

second page description language**);

Azima et al. disclose all of the subject matter as described as above except for

specifically teaching using the first portion of the first output data for said specific band

for connecting said second output data for said specific band to said second output data

for said other specific band.

However, Tsunekawa teach using the first portion of the first output data for said

specific band for connecting said second output data for said specific band to said

second output data for said other specific band (501, 502, figure 5; column 38; note that

the first and second bands within the form are disclosed as each bands are connected

and are within the band management table 501).

Azima et al. and Tsunekawa are combinable because they are from the same

field of endeavor i.e. static presentation processing for printer. At the time of the

invention, it would have been obvious to a person of ordinary skilled in the art to use the

first portion of the first output data for said specific band for connecting said second

output data for said specific band to said second output data for said other specific

band. The suggestion/motivation for doing so would have been in order to efficiently

represent part of the raster image data (column 2, lines 11-14). Therefore, it would have

been obvious to combine Azima et al. with Tsunekawa to obtain the invention as specified in claim 6.

(6) regarding claim 7:

Azima et al. further disclose the method according to claim 1 further comprising the step of: appending the first output data for each specific band out of said plurality of bands, thus obtaining the output data in the first output format (**column 3, lines 52-65; note that converting each raster into TIFF format then creating a second PDL file that includes converting each of the selected subset into TIFF format**).

(7) regarding claim 8:

Azima et al. further disclose a system for processing data comprising:

means for defining a plurality of bands constituting said output data (**column 3, lines 48-52; note that the output data includes creating a page having one or more separations with an imaging application**);

means for sequentially processing each one of the plurality of bands including:

i) an output renderer for rendering from the input data *for each specific band* first output data in a first output format (**column 5, lines 44-47, lines 61-63; note that the input image or file get RIPed and outputted to the first output format**);

ii) an output generator for generating, for each specific band from the first output data, second output data in a second output format (**column 5, lines 44-**

47, column 6, lines 2-5; note that the input image or file get RIPed and outputted to the second output format)

means for sending the output data in the first output format to a main output device (**column 7, lines 4-15; note that the output data is transmitted from the printer driver to the main output device i.e. the image setter**); and

means for sending the output data in the second output format to a proofing device (**column 7, lines 16-28; lines 30-36; note that the proofing device interprets the bitmap raster files or contone images to process the PDL that are sent**).

Azima et al. disclose all of the subject matter as described as above except for specifically teaching *means for sequentially processing each one of the plurality of bands*.

However, Tsunekawa discloses *means for sequentially processing each one of the plurality of bands* (**column 5, lines 21-29; note that the raster image memories for at least two bands are obtained by partitioning a page along the raster lines. Also, in column 9, lines 12-39, the process and management of the bands of the form is disclosed**).

Azima et al. and Tsunekawa are combinable because they are from the same field of endeavor i.e. static presentation processing for printer. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to have a *means for sequentially processing each one of the plurality of bands*. The suggestion/motivation for doing so would have been in order to efficiently represent part

of the raster image data (column 2, lines 11-14). Therefore, it would have been obvious

to combine Azima et al. with Tsunekawa to obtain the invention as specified in claim 8.

(8) regarding claim 9:

Azima et al. further disclose the system according to claim 8 further comprising

said wherein said main output device is an imagesetter, a platesetter or a proofing

device **(column 7, lines 4-15; note that the output data is transmitted from the**

printer driver to the main output device i.e. the imagesetter).

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

         A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

6.   Any inquiry concerning this communication or earlier communication from the
examiner should be directed to Hilina Kassa whose telephone number is (571) 270-
1676.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number
for the organization where this application or proceeding is assigned is 571-273-8300.

        Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for published
applications may be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through Private PAIR only. For
more information about PAIR system, see http://pari-direct.uspto.gov. Should you have
questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO
Customer Service Representative or access to the automated information system, call
800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/

Examiner, Art Unit 2625

March 10, 2008

/Gabriel I Garcia/

Acting SPE of Art Unit 2625